

**STATEMENT OF STEPHEN P. MARTIN, DEPUTY DIRECTOR, NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR, BEFORE THE SUBCOMMITTEE ON NATIONAL PARKS OF THE SENATE COMMITTEE ON ENERGY AND NATURAL RESOURCES, CONCERNING S. 652, TO PROVIDE FINANCIAL ASSISTANCE FOR THE REHABILITATION OF THE BENJAMIN FRANKLIN NATIONAL MEMORIAL IN PHILADELPHIA, PENNSYLVANIA AND FOR OTHER PURPOSES.**

**July 28, 2005**

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Mr. Chairman, thank you for the opportunity to appear before your committee to present the views of the Department of the Interior on S. 652, a bill to provide financial assistance for the rehabilitation of the Benjamin Franklin National Memorial in Philadelphia, Pennsylvania, and the development of an exhibit to commemorate the 300<sup>th</sup> anniversary of the birth of Benjamin Franklin. The Department does not support this bill.

This bill would authorize financial assistance in the form of a grant to the Franklin Institute to rehabilitate the Benjamin Franklin National Memorial, and to develop an interpretive exhibit relating to Benjamin Franklin to be displayed at a museum adjacent to the memorial. An amount not to exceed \$10,000,000 would be authorized to be appropriated for these purposes, with the Franklin Institute required to provide matching funds.

For many years, the Department has opposed legislation authorizing appropriations for non-National Park Service construction projects. Many of these projects, like the rehabilitation of the Ben Franklin National Memorial, represent an important contribution to the preservation of our Nation's history. However, each time such legislation is

enacted and appropriations follow, it further reduces a limited amount of discretionary funds available to address the priority needs of our national parks and other programs administered by the National Park Service. With the emphasis we have placed on the President's initiative to reduce the deferred maintenance backlog, it has become more important than ever to avoid authorizing funding for non-National Park Service projects that would likely draw funds from the National Park Service's budget. We are committed to supporting initiatives to commemorate the 300<sup>th</sup> anniversary of Benjamin Franklin and the interpretation of his legacy, especially at Franklin Court, a unit of Independence National Historical Park in Philadelphia, but given the current demands on National Park Service funds, we cannot support this legislation.

The Benjamin Franklin National Memorial is an affiliated area of the National Park System that is owned and administered by the Franklin Institute. The Memorial includes a colossal seated marble statue of Franklin carved by sculptor James Earle Fraser, which stands in the Rotunda of the Franklin Institute's main building at 20<sup>th</sup> Street and the Benjamin Franklin Parkway in Philadelphia. The statue and surrounding Memorial Hall was designated as the Benjamin Franklin National Memorial on October 25, 1972 (P.L. 92-551) and made no provision for appropriated funds to be used for acquisition, development, operation or maintenance of this Memorial. The House committee report on P.L. 92-551 anticipated that the Franklin Institute would continue to operate and maintain the Memorial at no cost to the government.

A Memorandum of Agreement (MOA) entered into on November 6, 1973, falls under the administrative authority of Independence National Historical Park. The MOA outlines the major responsibilities of each party regarding the operations of the national memorial. The Franklin Institute agreed to preserve the memorial in perpetuity, that no substantial alterations or repairs be taken without Secretarial approval, that the public shall be admitted without charge to the memorial, and that there will be equal employment opportunities. In turn, the Secretary agreed to include the memorial in publications, to make appropriate references to it in the interpretive and information programs of Independence National Historical Park, and to cooperate with the Institute in all appropriate and mutually agreeable ways on behalf of the memorial.

Mr. Chairman, thank you for the opportunity to comment. This concludes my prepared remarks, and I will be happy to answer any questions you or other committee members might have.